1	LESLIE MARK STOVALL, ESQ.
2	Nevada Bar No. 2566 ROSS MOYNIHAN, ESQ.
3	Nevada Bar No. 11848
4	STOVALL & ASSOCIATES 2301 Palomino Lane
	Las Vegas, NV 89107
5	Telephone: (702) 258-3034 E-service: court@lesstovall.com
6	Attorney for Plaintiff
7	UNITED STATES DISTRICT COURT
8	UNITED STATES DISTRICT COURT
9	DISTRICT OF NEVADA
10	ROBERT BARCELON, an individual)
11) Case no.: 2:18-cv-01493-GMN-DJA Plaintiff,
12	vs.
13	LANDFORCE CORPORATION)
14	Individually; ALBERT LEON HARRIS,)
15	Individually; DOES I-X and ROE) CORPORATIONS I-X, inclusive,)
16	
	Defendants.)
17	DI AINTHEESC UNORDOGED MOTION TO EVTEND TIME TO DECROND TO
18	PLAINTIFF'S UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO DEFENDANTS' THREE MOTIONS FILED WITH THE COURT AS DOCUMENTS 45,
19	46 AND 47
20	(First Request)
21	COMES NOW Plaintiff, by and through his attorneys, STOVALL & ASSOCIATES, and
22	hereby files his Motion to Extend Time to respond to Defendants' three motions filed on
23	December 23, 2019 as documents 45, 46, and 47 from January 6, 2020 to January 13, 2020.
24	
25	specifically:
26	1. Defendants Motion to Extend the Current Discovery Deadlines Pursuant to LR IA
27	6-1 and LR II 26-4 (Fifth Request) (Doc# 45);
28	

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1	2. Motion to Compel Discovery Pursuant to FED R CIV P 37 (A) (4) and Local
2	Rule 26-7 or in the Alternative Motion to Strike Plaintiff's Designation of Expert Chris Reyes
3	(Doc#46); and
4	3. Motion to Compel Discovery Pursuant to FED R CIV P 37 (A) (4) and Local
5	
6	Rule 26-7 or in the Alternative Motion to Strike Plaintiff's Designation of Expert Chris Reyes
7	(Doc#47).
8	This motion is based upon the pleadings and papers on file herein, the Memorandum of
9 10	Points and Authorities attached hereto, and any oral argument this Court may entertain at the
11	hearing of this Motion.
12	Dated this 6 th day of January, 2020.
13	STOVALL & ASSOCIATES
14	/s/ Ross Moynihan
15	
16	ROSS H. MOYNIHAN, ESQ. Nevada Bar No. 11848
17	2301 Palomino Lane Las Vegas, Nevada 89107
18	Attorney for Plaintiffs
19	
20	<u>DECLARATION OF PLAINTIFF'S COUNSEL IN SUPPORT OF PLAINTIFF'S</u>
21	MOTION TO EXTEND TIME TO RESPOND TO DEFENDANTS' MOTIONS
22	ROSS MOYNIHAN, declares and states as follows:
23	1. I am an associate attorney at the Law Office of Stovall & Associates,
24	
25	counsel for Plaintiff, and am licensed to practice law in the State of
26	Nevada.
27	2. On December 23, 2019, defendants' filed three motions with oppositions
28	due on January 6, 2020.

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1	3. On January 6, 2020, my office contacted defendants' counsel, Mr. Mills,
2	who agreed to provide plaintiff's counsel with a one week extension to
3	January 13, 2020 to file oppositions to the motions.
4	
5	4. Plaintiff's need for the extension is related to family commitments over
6	the holiday season that prevented plaintiff's counsel from being able to
7	devote sufficient time to the responses.
8	5. This motion is not made for the purposes of fraud or delay.
9	6. I declare under penalty of perjury that the foregoing is true and correct.
10	
11	DATED this 6 th day of January, 2020.
12	/s/ Ross Moynihan
13	ROSS MOYNIHAN, ESQ.
14	MEMORANDUM OF POINTS AND AUTHORITIES
15	
16	I.
17	ARGUMENT
18	FRCP 6(b) states:
19	(b) Extending Time. (1) In General.
20	When an act may or must be done within a specific time. The court may, for good
21	cause, extend the time: (A) with or without motion or notice if the courts acts, or if a request is
22	made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act
23	because of excusable neglect.
24	LRIA6-1 states in pertinent part:
25	(a) A motion or stipulation to extend dime must state the reasons for the extension requested and must inform the court of all previous extension of
26	the subject deadline the court granted.
27	(c) A stipulation or motion to seeking to extend the time to file an opposition or
28	reply to a motion, or to extend the time fixed for hearing a motion, must state in its opening paragraph the filing date of the subject motion or the date of the subject hearing.

1	Based upon the declaration of counsel, good cause exists for the extension of plaintiffs
2	
3	time from January 6, 2020 to January 13, 2020.
4	II.
5	CONCLUSION
6	For the above and foregoing reasons, Plaintiff's Motion to Extend Time should be grante
7	and plaintiff's time to respond to the defendants' motions be extended from January 6, 2020 t
8	
9	January 13, 2020.
10	Dated this 6 th day of January, 2020.
11	STOVALL & ASSOCIATES
12	/s/ Ross Moynihan
13	ROSS H. MOYNIHAN, ESQ. Nevada Bar No. 11848
14	2301 Palomino Lane
15	Las Vegas, Nevada 89107 Attorney for Plaintiffs
16	Given the representation that the extension request is unopposed and
17	the good cause appearing therein, IT IS SO ORDERED.
18	DATED: January 7, 2020
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23	DANIEL J. ALBREGTS UNITED STATES MAGISTRATE JUDGE
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